



Fw: Fw: Follow up
Al Armendariz to: Honker, Bill

02/13/2012 01:46 PM

From: Al Armendariz/R6/USEPA/US
To: "Honker, Bill" <honker.william@epa.gov>

Al Armendariz
Regional Administrator
U.S. EPA - Region 6
armendariz.al@epa.gov
214-665-2100
twitter: @al_armendariz
Bob Sussman

----- Original Message -----

From: Bob Sussman
Sent: 02/13/2012 02:37 PM EST
To: Bob Perciasepe
Cc: Al Armendariz; Ken Kopocis
Subject: Re: Fw: Follow up

Bob -- am setting up another meeting for Wednesday am to review the response to several additional questions I raised after last week's briefing. We should regroup with you after that meeting and decide how we want to respond to her.

Al -- hope we have answers to the questions in my follow-up e-mail.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

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| Bob Perciasepe | FYI Will need to contact them this week. | 02/13/2012 02:32:16 PM |
|----------------|--|------------------------|

From: Bob Perciasepe/DC/USEPA/US
To: "Bob Sussman" <Sussman.Bob@epamail.epa.gov>, "Al Armendariz" <Armendariz.Al@epamail.epa.gov>
Date: 02/13/2012 02:32 PM
Subject: Fw: Follow up

FYI
Will need to contact them this week.
Thanks
Bob Perciasepe
Deputy Administrator
(o)202 564 4711
(c) 202 368 8193

From: Heather Podesta [podesta@heatherpodesta.com]
Sent: 02/13/2012 11:28 AM PST
To: Bob Perciasepe
Cc: Teri Porterfield; Benjamin Klein <Klein@heatherpodesta.com>
Subject: Re: Follow up

Hey there.

Can we set up a call this week?

Thanks,
Heather

Heather Podesta
202/468-4403

From: Bob Perciasepe [mailto:Perciasepe.Bob@epamail.epa.gov]
Sent: Friday, February 03, 2012 11:59 AM
To: Heather Podesta
Cc: Teri Porterfield <Porterfield.Teri@epamail.epa.gov>
Subject: Re: Follow up

Heather

Just letting you know I have received this and I am looking into it a bit. Will be back with you next week.

Bob Perciasepe
Deputy Administrator

(o) +1 202 564 4711
(c) +1 202 368 8193

From: Heather Podesta <podesta@heatherpodesta.com>
To: Bob Perciasepe/DC/USEPA/US@EPA
Date: 02/02/2012 05:47 PM
Subject: Follow up

Bob,

As you will recall, we brought in Uranium Energy Corporation (UEC) to meet with you in

December to discuss a project they are working on in Goliad County, Texas. The Texas Commission on Environmental Quality has approved all the necessary permits for the project, but the EPA Region 6 office needs to concur with TCEQ's approval of the aquifer exemption before the project can get underway.

When we met in December, we expressed frustration that the Region 6 office has not provided any clear guidance on the additional information that the Region needs to approve the aquifer exemption. While modeling is not required by existing EPA regulations or guidance, UEC is willing to conduct additional modeling if the request is reasonable and Region 6 is specific about the information it needs.

At your suggestion, UEC met with Region 6 again in January to discuss the scope of the additional modeling requested by the region. UEC came to that meeting with a specific proposal to demonstrate that the exempted area does not currently serve as a source of drinking water. UEC proposed a model that would cover the period of the mine life (8 years including the restoration phase) – a time period specifically suggested in Region 6's July 1, 2011 letter to TCEQ and one clearly documented in existing regulations (40 CFR § 146.6). However, at the January 18, 2012 meeting, Region 6 provided UEC with a new definition of "currently" that would now cover the time period of the average lifespan of wellbores in the area – something that is impossible to define and could cover an indefinite number of years.

Attached is a document that more fully outlines our concerns and our interaction with the region. UEC has worked in good faith to conduct additional modeling requested by Region 6, but Region 6 keeps changing the standards they are using to evaluate the project, leading to continuing and unnecessary delay

We would like to come back to meet with you or the appropriate person on your staff to discuss the project and see if we can find a reasonable path forward. What time next week or the following would work?

Best,

Heather

Heather Podesta + Partners, LLC
901 7th Street, NW
Suite 600
Washington, DC 20001
202.628.8953 (O)
202.468.4403 (M)
Podesta@heatherpodesta.com

[attachment "EPA Review of UEC AE - Status Update.pdf" deleted by Bob Perciasepe/DC/USEPA/US]

